

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal Case No. 21-20295

MUHAMMAD S. AWAISI,

Sean F. Cox

United States District Court Judge

Defendant.

_____ /

ORDER
DENYING DEFENDANT’S REQUEST FOR APPOINTMENT OF COUNSEL

On October 18, 2024, Defendant Muhammad S. Awaisi (“Defendant”) filed a *pro se* Motion for Compassionate Release. (ECF No. 113). In it, Defendant asks the Court to appoint counsel for him, for purposes of assisting him with his motion.

The Sixth Amendment secures to a criminal defendant who faces incarceration the right to counsel at all “critical stages” of the criminal process. *United States v. Wade*, 388 U.S. 218, 224 (1967). The United States Supreme Court had held that a prisoner’s post-conviction right to counsel extends only to the first appeal of right and no further. *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987). Thus, the decision whether to appoint counsel for Defendant for purposes of filing a motion for compassionate release is a decision within the sound discretion of a district court. *United States v. Stephens*, 2020 WL 3250226 at *2 (E.D. Mich. June 16, 2020).

Motions for Compassionate Release are not complex, either legally or factually, and Defendant was able to draft and file a motion on his own. Accordingly, IT IS ORDERED that Defendant’s request for the appointment of counsel is DENIED.

IT IS SO ORDERED.

Dated: December 5, 2024

s/Sean F. Cox
Sean F. Cox
U. S. District Judge

I hereby certify that on December 5, 2024, the document above was served on counsel and/or the parties of record via electronic means and/or First Class Mail.

s/Jennifer McCoy
Case Manager